



**THE ISLAND REGULATORY AND
APPEALS COMMISSION**
Prince Edward Island
Île-du-Prince-Édouard
CANADA

Docket
WM01303
Order WM11-01

IN THE MATTER of an
application by the Island Waste Management
Corporation for an increase in its rates and
charges for waste management services.

**BEFORE THE
COMMISSION**

on Thursday, the 22nd day of December, 2011.

Maurice Rodgerson, Chair
John Broderick, Commissioner
Michael Campbell, Commissioner

Order

Compared and Certified a True Copy

(Sgd) *Allison MacEwen*

Director, Technical and Regulatory
Services

IN THE MATTER of an application by the Island Waste Management Corporation for an increase in its rates and charges for waste management services.

Order

WHEREAS, by application filed with the Commission on the 28th day of October, 2011, the Island Waste Management Corporation (“Corporation” or “IWMC”) applied to the Commission for approval to increase its rates and charges for waste management services;

AND WHEREAS, IWMC seeks the following fee increases:

Fee Category	Present Rate	Proposed Rate	Projected Revenue Increase
Household Annual	\$199.85/household	\$205.00/household	\$311,420
Cottage Annual	\$89.85/cottage	\$95.00/cottage	\$41,766
Cottage Extended	\$114.85/cottage	\$120.00/cottage	\$2,070
Contaminated Soil Residential	\$35/tonne	\$40/tonne	\$40,000
Commercial Tip Rate	\$100/tonne	No change	nil
WWDC Tip Rate	\$115/tonne	No change	nil

AND WHEREAS, pursuant to subsection 18.1(3) of the *Environmental Protection Act*, R.S.P.E.I. 1988, Cap. E-9 as amended (the “Act”), the Commission has caused notice of the IWMC’s application to be published inviting written submissions from the public;

AND WHEREAS, in response to the public notice, the Commission subsequently received ten written submissions expressing concern over the rate tariff structure, the lack of linkages between household fees and the volume of household waste produced, and the ongoing landlord-tenant compliance concerns;

AND WHEREAS, pursuant to subsection 18.1(3) of the *Act*, the Commission has reviewed the application of the IWMC, the written submissions of the public, IWMC responses to Commission interrogatories and IWMC responses to public comments received by the Commission;

AND WHEREAS, the Commission noted that the present annual cost to each household of \$199.85 or \$2.81 per pick-up (71 residential pick-ups each year) would increase annually, based on this request, by \$5.15 (1.25%) to an annual household fee of \$205 or \$2.85 per pick up;

AND WHEREAS, the Commission was informed that over seventy-five (75%) of IWMC expenditures are incurred through contracts with external service providers, which are significantly influenced by rising fuel prices;

AND WHEREAS, the Commission understands that contracts with external service providers are at a net price, with the contractors retaining the revenue from sales of either compost or recyclable materials;

AND WHEREAS, the Commission has, based on a review of the application, concluded that:

- operational expenses have increased since the last rate review and the increased expenditure level appears reasonable; and
- a blended rate structure which balances the cost of providing each service with an overall goal of sound environmental waste management is reasonable;

AND WHEREAS, within powers given to it under the *Act*, the Commission has concluded that the requested increase is necessary to recover the Corporation's costs and approves the rates proposed;

NOW THEREFORE, pursuant to the *Island Regulatory and Appeals Commission Act* and the *Environmental Protection Act*,

IT IS ORDERED THAT

1. the existing tariff fee schedule for IWMC services is revoked and the tariff fee schedule appended to, and forming part of, this Order is substituted therefore; and
2. the appended tariff is approved and declared effective on January 1, 2012 and shall remain in effect until otherwise ordered by the Commission.

DATED at Charlottetown, Prince Edward Island, this 22nd day of December, 2011.

BY THE COMMISSION:

(Sgd) Maurice Rodgerson

Maurice Rodgerson, Chair

(Sgd) John Broderick

John Broderick, Commissioner

(Sgd) Michael Campbell

Michael Campbell, Commissioner

NOTICE

Section 12 of the *Island Regulatory and Appeals Commission Act* reads as follows:

12. The Commission may, in its absolute discretion, review, rescind or vary any order or decision made by it or rehear any application before deciding it.

Parties to this proceeding seeking a review of the Commission's decision or order in this matter may do so by filing with the Commission, at the earliest date, a written Request for Review, which clearly states the reasons for the review and the nature of the relief sought.

Sections 13.(1), 13(2), 13(3), and 13(4) of the *Act* provide as follows:

13.(1) An appeal lies from a decision or order of the Commission to the Court of Appeal upon a question of law or jurisdiction.

(2) The appeal shall be made by filing a notice of appeal in the Court of Appeal within twenty days after the decision or order appealed from and the rules of court respecting appeals apply with the necessary changes.

(3) The Commission shall be deemed to be a party to the appeal.

(4) No costs shall be payable by any party to an appeal under this section unless the Court of Appeal, in its discretion, for special reasons, so orders.

IRAC140A(04/07)

NOTE: In accordance with IRAC's *Records Retention and Disposition Schedule*, the material contained in the official file regarding this matter will be retained by the Commission for a period of 5 years.

2012
Household Collection Fee \$205 per year
Cottage Collection Fee \$95 June 1 - Sept 30
Extended Cottage Collection Fee \$120 May 15 - Oct 31

Material Type	UOM	WWDC			EPWMF			PEI ES			CCF		
		Rate	Min	Max	Rate	Min	Max	Rate	Min	Max	Rate	Min	Max
Residential Waste	TN	115	5	20	100	5	20	100	5	20	N/A		
Commercial Waste	TN	115	5		100	5		100	5		N/A		
Residential Compost	TN	115	5	20	115	5	20	N/A			100	5	
Commercial Compost	TN	115	5		115	5					100	5	
Construction Demolition	TN	115	5		100	5		100	5		N/A		
Yard Trim - Residential	TN	115	5	20	115	5	20	N/A			100	5	
Yard Trim - Commercial	TN	115	5		115	5		N/A			100	5	
Cont. Soil - Commercial	TN	100	15		85	15		N/A			N/A		
Cont. Soil - Residential	TN	40	15		40	15		N/A			N/A		
Contaminated Material	TN	155	15		155	15		155	15		N/A		
Confidential Material	TN	N/A			125	15		125	15		N/A		
Household Haz. Waste	EA	Nil			Nil			N/A			N/A		
Sludge T	N	N/A			115	5		N/A			115	5	
Mixed Waste	TN	230	50		230	50		230	50		230	50	
Silage Wrap - Recyclable	TN	30	5		30	5		N/A			N/A		
Silage Wrap - Waste	TN	115	5		100	5		100	5		N/A		
Recyc. Residuals - Waste	TN	N/A			100	5		100	5		N/A		
Recycl. Residuals - Compost	TN	N/A			N/A			N/A			100	5	
Appliances - White Goods	TN	Nil			Nil			Nil			N/A		
Landlord Permits	TN	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	
Tires - Inbound	TN	Nil			Nil			N/A			N/A		
Metals T	N	110	5		110	5		N/A			N/A		
Blended Rate	TN	115	5		115	5		N/A			N/A		
Asbestos T	N	N/A			160	30		N/A			N/A		
Bio-Medical - Residential	TN	Nil			Nil			Nil			N/A		
Recyclables T	N	45	3		45	3		N/A			N/A		
Oil Tank	EA	25	25		25	25		N/A			N/A		
Illicit Material	TN	66	5		50	5		50	5		50	5	
International Waste	TN	N/A			N/A			350	95		N/A		
Pollution Grit	TN	115	5		N/A			N/A			N/A		
45 Gallon Drum	EA	5	5		5	5		N/A			N/A		
Pharmaceuticals T	N	Nil			Nil			N/A			N/A		
INTLWaste DND	TN	N/A			N/A			400	95		N/A		
Oil Saturated Waste	TN	N/A			N/A			165	15		N/A		
Residential Bulk Material	TN	Nil			Nil			N/A			N/A		
Asphalt Shingles	TN	40	5		40	5		40	5		N/A		
Mini Bins	EA	7	7		7	7		N/A			N/A		
Public Scale	EA	5	5		5	5		5	5		5	5	
Fryer/Cooking Oil	TN	Nil	Nil	Nil	Nil	Nil	Nil	N/A			N/A		
Blue/Black Bags	EA	NA			15	15		15	15		15	15	
OOP Contaminated Material T	N N	A			NA			230	15		NA		
OOP Confidential Material	TN	NA			NA			200	15		NA		
OOP Oil Saturated Waste	TN NA				NA			240	15		NA		

UOM= (Unit of Measure)	WWDC=(Waste Drop Off Center)
TN=(Tonne)	EPWMF=(East Prince Waste Management Facility)
EA=(Each)	PEI ES=(PEI Energy Systems)
N/A=(Not Applicable)	CCF=(Central Compost Facility)
Nil=(No Charge or Fee)	OOP=(Out of Province)